

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Clark E. Robison

Attorney Docket: 2000-IP-882U1USA

Serial No.: 09/977,026

Group Art Unit: 3672

Filed: October 12, 2001

Examiner: Smith, Matthew J.

For: **APPARATUS AND METHOD FOR
PERFORATING A SUBTERRANEAN FORMATION**

#79
EJC
HWD
1/30/03

RESPONSE TO OFFICE ACTION OF DECEMBER 16, 2002

Assistant Commissioner for Patents
Box Amendments
Washington, DC 20231

Sir:

In response to the Office Action mailed December 16, 2002, please amend the application as follows:

In the claims:

Cancel Claims 65-131 without prejudice.

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REMARKS

Claims 1-131 are pending in this application. The examiner determined that this application contained two distinct inventions and required restriction to one group of claims as required under 35 U.S.C. 121. The Applicant elects Claims 1-64, Group I, drawn to a mechanical perforator, classified in class 166, subclass 298. Claims 65-131 are cancelled without prejudice.

It is believed that the application is in condition for continued prosecution and/or allowance, and such action is respectfully requested. If the examiner is of the opinion that a telephone interview would speed prosecution, please do not hesitate to call Peter V. Schroeder at 214-220-0444.

The Commissioner of Patents and Trademarks is hereby authorized to charge any fees or overpayments to Deposit Account No. 03-3840. A duplicate copy of this fee authorization sheet is enclosed for this purpose.

Dated: January 16, 2003



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Respectfully submitted,

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Attorneys for Applicant

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/977,026	
	Filing Date	10/12/2001	
	First Named Inventor	Clark E. Robison	
	Group Art Unit	3672	
	Examiner Name	Smith, Matthew J.	
Total Number of Pages in This Submission	4	Attorney Docket Number	2000-000882U1USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Crutsinger & Booth by Peter V. Schroeder
Signature	
Date	January 16, 2003

CERTIFICATE OF MAILING			
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PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

2000-000882U1USA

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	FEE
	\$ _____
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	FEE
	\$ _____
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	* 64	Minus	** 131	= 0
	Independent (37 CFR 1.16(b))	* 7	Minus	*** 11	= 0
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

TOTAL
ADDIT. FEE

TOTAL
ADDIT. FEE

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	*	Minus	**	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

TOTAL
ADDIT. FEE

TOTAL
ADDIT. FEE

(Column 1)

(Column 2)

(Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	*	Minus	**	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

TOTAL
ADDIT. FEE

TOTAL
ADDIT. FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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